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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/506,371	09/02/2004	Isao Sasaki	NEC 02P211	9956
27667	7590	09/03/2008	EXAMINER	
HAYES SOLOWAY P.C. 3450 E. SUNRISE DRIVE, SUITE 140 TUCSON, AZ 85718			PERVAN, MICHAEL	
ART UNIT	PAPER NUMBER			
	2629			
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09/03/2008	PAPER			

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/506,371	<b>Applicant(s)</b> SASAKI ET AL.
	<b>Examiner</b> Michael Pervan	<b>Art Unit</b> 2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 06 May 2008.  
 2a) This action is FINAL.      2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-42 is/are pending in the application.  
 4a) Of the above claim(s) 27-42 is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-3,13-16 and 26 is/are rejected.  
 7) Claim(s) 4-12 and 17-25 is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 02 September 2004 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date 9/20/04 11/29/04
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_  
 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_

**DETAILED ACTION**

***Election/Restrictions***

1. Applicant's election with traverse of claims 1-26 in the reply filed on May 6, 2008 is acknowledged. The traversal is on the ground(s) that since the PCT Examiner examined all of the claims in a single application, it is submitted that the U.S. Examiner should accept the PCT Examiner's determination, and examine all of the claims on the merits. This is not found persuasive because although the PCT Examiner examined all of the claims this does not obligate the U.S. Examiner to do the same. The claims have two different driving methods which causes a burdensome search.

The requirement is still deemed proper and is therefore made FINAL.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3, 13-16 and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Dingwall (US 5,903,246).

In regards to claims 1 and 14, Dingwall discloses an image display apparatus comprising (Fig. 2):

a pixel having a drive transistor (TR1-480) and a pixel display element (P1-480) which are connected in series between a first power line (VDD) and a second power line

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(ground), a holding capacitor (C1-480) connected to a gate electrode of said drive transistor, and a selection transistor (T1-480) connected between a signal line (ROW1-480) and the gate electrode of said drive transistor; and

control means for turning on said selection transistor thereby to write gradation pixel data in said holding capacitor from said signal line (It is inherent that there would be a ROW driver for activating the selection transistor), discharging charges of the gradation pixel data written in said holding capacitor through said drive transistor for a predetermined time, and thereafter floating the gate electrode of said drive transistor thereby to hold the charges of the gradation pixel data stored in said holding capacitor (col. 5, lines 25-45).

In regards to claims 2 and 15, Dingwall discloses the image display apparatus according to claim 1, further comprising:

a display panel having a plurality of signal lines (COL1-560) to which corresponding gradation pixel data are applied and a plurality of scanning lines (ROW1-480) to which scanning signals are applied, said pixel being positioned at each of points of intersection between said signal lines and said scanning lines (Fig. 2);

a signal line driver (digital current source) for applying said gradation pixel data to said signal lines based on a pixel input signal (col. 5, lines 3-7); and

a scanning line driver for applying said scanning signals to said scanning lines (It is inherent that there would be a ROW driver for activating the selection transistor);

wherein said selection transistor has a first drain electrode, a first source electrode, and a first gate electrode, said drive transistor has a second drain electrode, a second source electrode, and a second gate electrode, said holding capacitor holds a voltage between said second gate electrode and said second source electrode, and said pixel display element has a first electrode and a second electrode (Fig. 2);

wherein said first drain electrode/said first source electrode is connected to said signal line, said first source electrode/said first drain electrode is connected to said second gate electrode, said first gate electrode is connected to said scanning line, and said selection transistor performs on/off control of a conduction state between said signal line and said second gate electrode based on said scanning signal (Fig. 2);

wherein said first power line is connected to said second drain electrode, said second source electrode is connected to said first electrode, and said drive transistor passes an output current controlled based on a voltage held by said holding capacitor from said second source electrode to said first electrode (Fig. 2 and col. 5, lines 25-45); and

wherein said second power line is connected to said second electrode, and said pixel display element displays a pixel at a gradation based on said output current of said drive transistor (Fig. 2 and col. 5, lines 25-45).

In regards to claims 3 and 16, Dingwall discloses the image display apparatus according to claim 2, wherein said scanning signals are applied to said scanning lines in a preset sequence (col. 5, lines 28-34).

In regards to claims 13 and 26, Dingwall discloses the image display apparatus according to claim 1, wherein said pixel display element comprises an organic electroluminescence element (col. 2, line 66-col. 3, line 5).

***Allowable Subject Matter***

4. Claims 4-12 and 17-25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Claims 4-12 and 17-25 recite among other features a resetting signal line and a resetting transistor.

The prior art does not teach or suggest the above limitations.

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Pervan whose telephone number is (571) 272-0910. The examiner can normally be reached on Monday - Friday between 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amr Awad can be reached on (571) 272-7764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MVP

/Amr Awad/  
Supervisory Patent Examiner, Art Unit 2629

Sept. 1, 2008